

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

MAREIKE KLEE ET AL

Serial No. 09/483,923

Filed: JANUARY 18, 2000

BREAKDOWN-RESISTANT THIN FILM CAPACITOR WITH INTERDIGITATED  
STRUCTURE

Atty. Docket

PHD 99-~~SEP~~ 23 2004

Group Art Unit 2831

Examiner: A. DINKIN

Office of Patent Publication  
Director's Office

Commissioner for Patents, Washington, D.C. 20231

*DUPLICATE*

PETITION TO WITHDRAW ABANDONMENT UNDER MPEP §711.03(c)

Sir:

Applicants hereby petition to withdraw the holding  
of abandonment as evidenced by the Notice of Abandonment  
dated September 21, 2001 (copy attached).

The holding of abandonment is in error for the  
following reasons:

The Issue Fee was due August 13, 2001. The Issue  
Fee Transmittal with authorization to charge the Issue Fee to  
Assignee's Deposit Account, was mailed by Applicants'  
Attorney on July 3, 2001, as evidenced by the attached copy  
of the Issue Fee Transmittal, with Certificate of Mailing,  
and was received by the Patent Office on July 5, 2001, as  
evidenced by the attached copy of the return receipt  
postcard.

Since all acts required of Applicants to accomplish  
timely payment of the Issue Fee have been carried out by  
Applicants, the holding of abandonment was in error, and  
Applicants hereby petition for its withdrawal.

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*10/31/04*

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

By Ernestine C. Bartlett  
Ernestine C. Bartlett #22,861  
Attorney  
(914) 333-9640

Enclosures: Copy of Notice of Abandonment  
Copy of Issue Fee Transmittal  
Copy of Receipt Post Card for Issue Fee

CERTIFICATE OF MAILING

It is hereby certified that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to:  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

On 11/01/01

By G. Lamprecht



BART

**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/483,923	01/18/00	KLEE	M PHD-99.908

Corporate Patent Counsel  
U.S. Philips Corporation  
500 White Plains Road  
Tarrytown NY 10591

7542/8921

EXAMINER

WITAL DINKINS, A

PC OCT 03 2001

ART UNIT

PAPER NUMBER

1831

13

DATE MAILED: 09/21/01

**NOTICE OF ABANDONMENT**

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper response to the Office letter mailed on \_\_\_\_\_.
- ☐ A response (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_, which is after the expiration of the period for response (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
- ☐ A proposed response was received on \_\_\_\_\_, but it does not constitute a proper response to the final rejection.
- (A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).)
- ☐ No response has been received.
- ☒ Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.
- ☐ The issue fee (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_.
- ☐ The submitted issue fee of \$\_\_\_\_\_ is insufficient. The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_.
- ☒ The issue fee has not been received.
- ☐ Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.
- ☐ Proposed new formal drawings (with a Certificate of Mailing or Transmission of \_\_\_\_\_) were received on \_\_\_\_\_.
- ☐ The proposed new formal drawings filed \_\_\_\_\_ are not acceptable.
- ☐ No proposed new formal drawings have been received.
- ☐ The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on \_\_\_\_\_.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

**ABANDONMENT**  
**CONTACT PERSON IS:**  
**TOM HAWKINS**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE. Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Issue Fee payment, the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) indicating a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

PERMIT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

MM71/0511

Corporate Patent Counsel  
U.S. Philips Corporation  
500 White Plains Road  
Tarrytown NY 10591

Note: The certificate of mailing below can only be used for domestic mailings of the Issue Fee Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing.

**Certificate of Mailing**

I hereby certify that this Issue Fee Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above on the date indicated below.

EDNA CHAPA

(Depositor's name)

*Edna Chapa*

(Signature)

*July 3, 2001*

(Date)

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/483,923	01/18/00	004	DINKINS, A 2831	05/11/01

1. Named Applicant: KLEE. 35 USC 154(b) term ext. = 0 Days.

2. OF BREAKDOWN-RESISTANT THIN FILM CAPACITOR WITH INTERDIGITATED STRUCTURE

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN TYPE	SMALL ENTITY	FEE DUE	DATE DUE
3 PHD-99.008	361-303.000	625	UTILITY	NO	\$1240.00	08/13/01

Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Use of PTO form(s) and Customer Number are recommended, but not required.

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

"Fee Address" indication (or "Fee Address" Indication form PTO/SB/47) attached

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. NORMAN N. SPAIN
2. \_\_\_\_\_
3. \_\_\_\_\_

ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)  
**PLEASE NOTE:** Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the PTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

U.S. Philips Corporation

(B) RESIDENCE: (CITY & STATE OR COUNTRY)

New York, New York

Please check the appropriate assignee category indicated below (will not be printed on the patent)

individual corporation or other private group entity government

4a. The following fees are enclosed (make check payable to Commissioner of Patents and Trademarks):

Issue Fee  
Advance Order - # of Copies \_\_\_\_\_

4b. The following fees or deficiency in these fees should be charged to:

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(ENCLOSE AN EXTRA COPY OF THIS FORM)

Issue Fee  
Advance Order - # of Copies \_\_\_\_\_

THE COMMISSIONER OF PATENTS AND TRADEMARKS IS requested to apply the Issue Fee to the application identified above

Authorized Signature)

(Date)

*Norman N. Spain*

*48 7/3/01*

NOTE: The Issue Fee will not be accepted from anyone other than the applicant; a registered attorney agent; or the assignee or other party in interest as shown by the records of the Patent and Trademark Office.

**Estimated Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending on the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND THIS FORM TO: Box Issue Fee, Assistant Commissioner for Patents, Washington D.C. 20231

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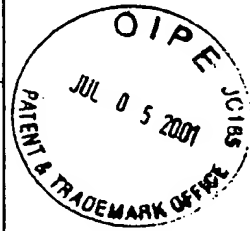
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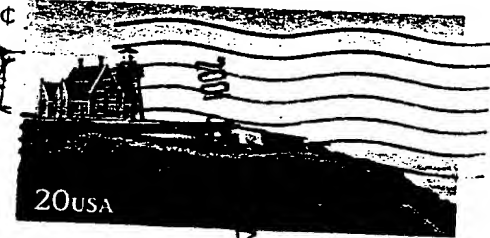
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ACKNOWLEDGE RECEIPT OF NOTED DOCUMENTS

Application .....	<input type="checkbox"/>	Amendment .....	<input type="checkbox"/>
Pages of		Issue Fee .....	<input checked="" type="checkbox"/>
spec., claims & abs.		Notice of Appeal .....	<input type="checkbox"/>
Con. Doc. ....	<input type="checkbox"/>	Extension .....	<input type="checkbox"/>
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